



EXPRESS MAIL NO. EV336619641US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

07 02 2003

TECH CENTER 1600/2900

Applicant : Tony N. Fridakis et al.
Application No. : 09/924,400
Filed : August 7, 2001
For : COMPOSITIONS AND METHODS FOR THE THERAPY AND
DIAGNOSIS OF BREAST CANCER

Examiner : Mary K. Zeman
Art Unit : 1631
Docket No. : 210121.419C12
Date : September 24, 2003

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, applicants wish to make known to the Patent and Trademark Office the references set forth on the attached form PTO-1449 (copies of the cited references are enclosed). As to any reference supplied, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserves the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

Please acknowledge receipt of this Third Supplemental Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC



Julie A. Urvater, Ph.D., Patent Agent
Registration No. 50,461

JAU:ljt

Enclosures:

Form PTO-1449 (5 sheets)
Cited References (54)

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031
\418873

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
210121.419C12APPLICATION NO.
09/924,400THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)APPLICANTS
Tony N. Frudakis et al.FILING DATE
August 7, 2001GROUP ART UNIT
1631**RECEIVED**
OCT 02 2003

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
AA	5,912,143	06/15/99	Bandman et al.	435	69.1	
AB	6,329,505	12/11/01	Xu et al.	530	350	
AC	6,344,550	02/05/02	Frudakis et al.	536	23.5	
AD	2002/0009738	01/24/02	Houghton et al.	435	6	
AE	2002/0022248	02/21/02	Xu et al.	435	69.1	
	2002/0051977	05/02/02	Xu et al.	435	6	
	2002/0068285	06/06/02	Frudakis et al.	435	6	
	2002/0165371	11/07/02	Frudakis et al.	536	23.1	
	2002/0183251	12/05/02	Xu et al.	514	12	
	2002/0193296	12/19/02	Xu et al.	514	12	
	2002/0192763		Xu et al.	435	69.7	
	2003/0088062	05/08/03	Xu et al.	530	350	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AF	EP 1033401 A2	09/06/00	EPO		
	AH	WO 99/31236	06/24/99	WIPO		
	AI	WO 01/51628	07/19/01	WIPO		

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AK	Ahn and Kunkel, "The structural and functional diversity of dystrophin," <i>Nature Genetics</i> 3:283-291, April 1993.
	AL	Attwood, T.K., "The Babel of Bioinformatics," <i>Science</i> 290: 471-473, October 20, 2000.
	AM	Boon, T., "Toward a Genetic Analysis of Tumor Rejection Antigens," <i>Adv. Cancer Res.</i> 58:177-210,

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).

FORM PTO-1449
(REV. 7-90)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
210121.419C12APPLICATION NO.
09/924,400**THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**
(Use several sheets if necessary)APPLICANTS
Tony N. Frudakis et al.FILING DATE
August 7, 2001GROUP ART UNIT
1631**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
BA						

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
				YES	NO
BB					

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

BC	Burgess et al., "Possible Dissociation of the Heparin-binding and Mitogenic Activities of Heparin-binding (Acidic Fibroblast) Growth Factor-1 from Its Receptor-binding Activities by Site-directed Mutagenesis of a Single Lysine Residue," <i>Journal of Cell Biology</i> 111: 2129-2138, November 1990.
BD	Cawthon et al., "cDNA Sequence and Genomic Structure of <i>EVI2B</i> , a Gene Lying with an Intron of the Neurofibromatosis Type 1 gene," <i>Genomics</i> 9: 446-460, 1991.
BE	Curti, B.D., "Physical barriers to drug delivery in tumors," <i>Critical Reviews in Oncology/Hematology</i> 14:29-39, 1993.
BF	Dermer, G.B., "Another Anniversary for the War on Cancer," <i>Bio/Technology</i> 12: 320, March 1994.
BG	Drexler, H. "Recent Results on the Biology of Hodgkin and Reed-Sternberg cells. II. Continuous Cell Lines," <i>Leukemia and Lymphoma</i> 9: 1-25, 1993.
BH	Embleton, M.J., "Monoclonal Antibodies to Osteogenic Sarcoma Antigens," in <i>Monoclonal Antibodies and Cancer</i> , Immunology Series 23, Wright, Jr. G.L. (ed.), Marcel Dekker, New York, NY, 1984, pp. 181-207.
BI	Freshney, R.I., <i>Culture of Animal Cells: A Manual of Basic Technique</i> , Alan R. Liss, Inc., New York, 1983, pp.3-4.
BJ	GenBank Accession No. AA533501, August 1, 1997.
BK	GenBank Accession No. AC018804, February 11, 2003.
BL	GenBank Accession No. AI804733, July 6, 1999.

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

210121.419C12

APPLICATION NO.

09/924,400

THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)

APPLICANTS

Tony N. Frudakis et al.

FILING DATE

August 7, 2001

GROUP ART UNIT

1631

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
CA						

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO
CB			

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

CC	GenBank Accession No. AQ063365, July 30, 1998.
CD	GenBank Accession No. AQ124119, August 31, 1998.
CE	Geneseq (Derwent) Accession No. AAV68996, January 22, 1999.
CF	Geneseq (Derwent) Accession No. AAL10921, December 7, 2001.
CG	Geneseq (Derwent) Accession No. AAL11383, December 7, 2001.
CH	Geneseq (Derwent) Accession No. AAL11455, December 7, 2001.
CI	Geneseq (Derwent) Accession No. AAL13620, December 7, 2001.
CJ	Geneseq (Derwent) Accession No. AAL18685, December 7, 2001.
CK	Geneseq (Derwent) Accession No. AAL20282, December 7, 2001.
CL	Geneseq (Derwent) Accession No. AAL20354, December 7, 2001.

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
210121.419C12APPLICATION NO.
09/924,400THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)

APPLICANTS

Tony N. Frudakis et al.

FILING DATE

August 7, 2001

GROUP ART UNIT

1631

U.S. PATENT DOCUMENTS

RECEIVED

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
DA						

FOREIGN PATENT DOCUMENTS

TECH CENTER 1600/2300

DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO
DB			

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

DC	Genseq (Derwent) Accession No. AAL22489, December 7, 2001.
DD	Gerhold and Caskey, "It's the genes! EST access to human genome content," <i>BioEssays</i> 18(12): 973-981, 1996.
DE	Geysen et al., "Cognitive Features of Continuous Antigenic Determinants," <i>Journal of Molecular Recognition</i> 1(1):32-41, 1988.
DF	Gillies and Wesolowski et al., "Antigen binding and biological activities of engineered mutant chimeric antibodies with human tumor specificities," <i>Hum. Antibod. Hybridomas</i> 1(1): 47-54, 1990.
DG	Harris et al., "Polycystic Kidney Disease 1: Identification and Analysis of the Primary Defect," <i>Journal of the American Society of Nephrology</i> 6(4): 1125-1133, October 1995.
DH	Hartwell et al., "Integrating Genetic Approaches into the Discovery of Anticancer Drugs," <i>Science</i> 278: 1064-1068, November 7, 1997.
DI	Hsu, T.C., "Karyology of Cells in Culture," in <i>Tissue Culture: Methods and Applications</i> , Kurse, Jr et al. (eds.), Academic Press, New York, 1973, pp. 764-767.
DJ	Jain, R. K., "Barriers to Drug Delivery in Solid Tumors," <i>Scientific American</i> 271(1): 58-65, July 1994.
DK	Johnstone and Thorpe (eds.), <i>Immunochemistry in Practice</i> , Second Edition, Blackwell Scientific Publications, Oxford England, 1987, pp 49-50.
DL	Lazar et al., "Transforming Growth Factor α : Mutation of Aspartic Acid 47 and Leucine 48 Results in Different Biological Activities," <i>Molecular and Cellular Biology</i> 8: 1247-1252, March 1988.

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

210121.419C12

APPLICATION NO.

09/924,400

THIRD SUPPLEMENTAL

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

APPLICANTS

Tony N. Frudakis et al.

FILING DATE

August 7, 2001

GROUP ART UNIT

1631

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
EA						

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION
			YES NO
EB			

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EC	Russell and Barton, "Structural Features can be Unconserved in Proteins with Similar Folds," <i>J. Mol. Biol.</i> 244: 332-350, 1994.
ED	Tao and Morrison, "Studies of Aglycosylated Chimeric Mouse-Human IgG. Role of Carbohydrate in the Structure and Effector Functions Mediated by the Human IgG Constant Region," <i>Journal of Immunity</i> 143(8): 2595-2601, October 15, 1989.
EE	Venter et al., "Genome sequence analysis: scientific objectives and practical strategies," <i>Trends in Biotechnology</i> 10: 8-11, Jan/Feb 1992.
EF	Walter, G., "Production of use of antibodies against synthetic peptides," <i>Journal of Immunological Methods</i> 88: 149-161, 1986.
EG	Wei, W.-Z. et al., "Protection Against Mammary Tumor Growth By Vaccination with Full-Length, Modified Human <i>ErbB-2</i> DNA," <i>Int. J. Cancer</i> 81: 748-754, 1999.
EH	Wells and Peitsch, "The chemokine information source: identification and characterization of novel chemokines using the WorldWideWeb and Expressed Sequence Tag Databases," <i>Journal of Leukocyte Biology</i> 61: 545-550, May 1997.
EI	
EJ	
EK	
EL	

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).